



City of Carmel

Carmel Advisory Board of Zoning Appeals

Hearing Officer

Tuesday, January 4, 2005

The meeting was held at 6:45 PM in the Caucus Rooms of City Hall, January 4, 2005. The Hearing Officer was Madeleine Torres.

Jon Dobosiewicz attended the meeting on behalf of the Department of Community Services. John Molitor, legal counsel, was also in attendance.

D. Public Hearing:

1-3d. North Augusta, Sec 1, lots 10pt-11 and North Augusta, Sec 2, Lot 39

The applicant seeks development standards variances:

Docket No. 04110013 V	Chapter 23C.08.03.A	setback from residential
Docket No. 04110015 V	Chapter 26.04.05	buffer yard requirements
Docket No. 04120011 V	Chapter 23C.10.02(1)	30-ft greenbelt

The site is located at the southeast corner of 97th Street and Michigan Rd.

The site is zoned B-2/Business and S-1/Residence (pending rezoning) and is within the US 421 Overlay Zone.

Filed by Chris McComas of Advocati, LLC for My Three Sons Ventures, LLC.

Chris McComas appeared before the Hearing Officer representing My Three Sons Ventures. The variances before the Board this evening are in relation to the adjacent residential neighbor who will remain in existence. The petitioner has gone before the City Council regarding the residential lot that is being requested for rezone, and it will be reviewed Thursday by the City Council Land Use Committee.

At this time, the petitioner is requesting a reduction in the greenbelt requirement from 30 feet to 15 feet, thereby allowing the building to be moved 15 feet farther away from the adjacent neighbor. As a result, approximately 21 feet of open space will be provided—not a vehicle drive-thru—it is open space only. No vehicle will be able to come closer than 21 feet to the neighbor and the building will be 50 feet from the property line.

Mr. McComas requested favorable consideration on the setback and buffer yard variances. The 50-foot setback will not necessarily be needed, but is requested just in case the drawings are off by a few feet. The variance for the buffer yard requirement will be needed because the landscaping is not in compliance; 15 feet of grass area is being relocated to the rear of the building as opposed to putting it in the greenbelt.

There were no members of the public in attendance to speak in favor or opposition, and the public hearing was closed.

Jon Dobosiewicz asked about the neighbor, Charles Spray.

Chris McComas said he had talked with Charles Spray and the petitioner will be installing an 8-foot fence that will pull the building away from his residence.

Jon Dobosiewicz reported that the Department is recommending approval at this time.

Docket Nos. 04110013 V, 04110015 V, and 04120011 V Variances as specified were **APPROVED** by Madeleine Torres, Hearing Officer for the Carmel Advisory Board of Zoning Appeals.

There being no further business to come before the Board, the meeting was adjourned at 6:50 PM.

Madeleine Torres, Hearing Officer

Ramona Hancock, Secretary pro tem